## Nos. 06-2640/2642

## UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

COALITION TO DEFEND A ACTION; et al.,	AFFIRMATIVE )	
Plaintiffs - Appellees,	)	) 
v.	)	
JENNIFER GRANHOLM, et	al.;	
Defendants - Appellee	es, (06-2640) )	
MICHAEL COX, Attorney G	• • • • • • • • • • • • • • • • • • • •	
Intervenor Defendant,		<u>O R D E R</u>
ERIC RUSSELL; TOWARD MICHIGAN,	A FAIR )	
Proposed Intervenors	- Appellants. )	
In re: ERIC RUSSELL; TOW MICHIGAN,	/ARD A FAIR )	
Petitioners.	(06-2642)	)  -

The proposed intervenors appeal the district court's order of December 19, 2006, enjoining the application of Article 1, section 26 of the Michigan Constitution of 1963 to the current admissions and financial aid policies of three defendant universities, *i.e.*, the University of Michigan, Michigan State University, and Wayne State University, through July 1, 2007. The proposed intervenors move to stay that order pending this court's review. They also seek a writ of mandamus directing the district court to lift that injunction.

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- 2. -

It is **ORDERED** that responses to the Emergency Motion for a Stay Pending Appeal are due by 3:00 p.m. on Thursday, December 28, 2006. The court requests that any responses filed by the four sets of parties – (1) the plaintiffs in the underlying action, (2) the Governor of the State of Michigan, (3) the three defendant universities, and (4) the Michigan Attorney General – be filed separately. As part of their responses, the parties should also address the plaintiffs' likelihood of success on the merits of the underlying action. The proposed intervenors may file a reply to any of the above responses no later that 1:00 p.m. on Friday, December 29, 2006. All responses and replies may be filed by facsimile or electronically upon proper arrangements being made with the clerk's office.

The parties also may file a response to the petition for a writ of mandamus by 3:00 p.m. on Thursday, December 28, 2006. Fed. R. App. P. 21(b). The responses may be filed by facsimile or electronically upon proper arrangements being made with the clerk's office.

ENTERED BY ORDER OF THE COURT

